

Application No.: 10/020,401

Docket No.: 21547-00287-US

REMARKS

Claims 11-19 are pending. Claims 11 and 16 are independent. Applicants respectfully request reconsideration and withdrawal of the outstanding rejections and objections and that the Examiner pass the application to Issue.

Claim Objections

Claims 16 and 18 are objected to as having informalities. Applicants respectfully traverse.

The Examiner states that the recitation of "the blank" in claim 16 lacks antecedent basis. Line 4 of claim 16 has been amended to recite "the blank material," which has antecedent basis in line 3 of claim 16.

The Examiner states that the "support element design" and "seat positions" lack antecedent basis in claim 18. Claim 18 has been amended to obviate these objections.

In light of the above amendments, Applicants respectfully request reconsideration and withdrawal of the objections to claims 16 and 18.

Claim Rejections – 35 USC § 112

Claims 11-19 stand rejected under 35 USC § 112 as being indefinite. Applicants respectfully traverse.

Regarding claim 11, the Examiner states that "the plural seats are arranged to prevent communication between the surface and an opposing surface on the elongate support element through the plural seats." Applicants have amended claim 11 to recite "wherein the

Application No.: 10/020,401

Docket No.: 21547-00287-US

plural seats are arranged to prevent communication between the surface on the elongate support element and an opposing surface on the elongate support element through the plural seats.” Referring to Figure 2 of the present application, this limitation embodies the feature that the seats 22, 23 do not extend through the support element. In other words, the seats do not form through-holes, and do not allow communication between opposed surfaces of the support element. Applicants believe the claimed limitation describes the invention so that one of ordinary skill in the art would understand the meaning of the claim.

Regarding claim 16, the Examiner states that it is unclear whether implants are to be claimed in line 5, and that it is not clear that the method steps show production of a support element. Applicants have amended claim 16 to recite a “method for producing and installing a tooth replacement structure,” to more clearly recite the aspect that a support element is to be used in conjunction with implants and/or spacers.

The Examiner also states that it is not clear what is meant by “in conjunction with the production of a dental product from the blank.” The amendments to claim 16 remove this clause and obviate the rejection.

In light of the above amendments, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 USC § 112.

Claim Rejections – 35 USC § 102

Claim 11 stands rejected under 35 USC § 102(b) as being anticipated by Emmanuel. Applicants respectfully traverse.

The Examiner states that Emmanuel discloses a support element 48 having plural seats and made from a homogeneous material. As amended, claim 11 recites ‘wherein the plural seats are arranged to prevent communication between the surface on the elongate support element and an opposing surface on the elongate support element through the plural

Application No.: 10/020,401

Docket No.: 21547-00287-US

seats." Referring to Figure 2 of the present application, this limitation embodies the feature that the seats 22, 23 do not extend through the support element. In other words, the seats do not form through-holes, and do not allow communication between opposed surfaces of the support element.

In contrast, Emmanuel's device includes through-hole bores 56, 58. Because Emmanuel fails to disclose all of the limitations recited in claim 11, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b).

Claim Rejections – 35 USC § 103

Claims 16-19 stand rejected under 35 USC § 103(a) as being unpatentable over Antonson. Applicants respectfully traverse.

The Examiner states that Antonson discloses a method for producing a support element including the step of forming a recess. The Examiner also states that while Antonson does not show a specific type of seat, it would have been obvious to form recesses that do not form a through hole.

Referring to Figure 3 of Antonson, a skeleton part 2' includes a through hole recess 11. The skeleton part 2' also requires a contact member 12 for mounting the part 2' to an implant 4'. Antonson's structure therefore discloses a through hole recesses. Further, mounting the part 2' on the implant 4' requires access to the screw head 10'. It would not have been obvious to one of ordinary skill in the art to modify Antonson's part 2', because such modification would render the part 2' impossible to mount as shown in Figure 3 of Antonson.

In light of the above arguments, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 USC § 103(a).

Application No.: 10/020,401

Docket No.: 21547-00287-US

Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21547-00287-US from which the undersigned is authorized to draw.

Dated: August 17, 2004

Respectfully submitted,

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